

Presentation to EESTF on September 13, 2013

Comparison of Climate Action Plans: 2012 Proposal and 2013 Proposal

ENVIRONMENTAL REVIEW (CEQA)

The City of San Diego as Lead Agency under CEQA prepared a Negative Declaration, SCH No. 2012081049, on the August 28, 2012 Draft CAP. The City intends for the CAP to be a “Qualified Greenhouse Gas Reduction Plan” under CEQA and for use in CEQA tiering for cumulative impacts analysis. Until such time as the CAP is complete, GHG cumulative impacts analysis will continue to occur on a project-by-project basis. Draft significance thresholds for GHG emissions were developed as an independent document, but have not been adopted by Council.

TABLE ONE compares the mitigation measures proposed in the 2012 CAP with those proposed in the 2013 CAP.

TABLE ONE

Comparison of Top LOCAL Measures*	2012 CAP		2013 CAP		ADDITIONAL MANDATORY STRATEGIES RECOMMENDED TO REACH TARGET
	2020	2035	2020	2035	
ENERGY- EXISTING BUILDINGS					
Residential Single Family Energy Efficiency (EE)	30%	30%	30%	50%	Require Energy Consumption data disclosure at Point-of-Sale (POS). Phased in approach. Mandatory by 2015.
Energy Reduction (%/unit)	Based on EUC data, average is about 15%				
Units Retrofit (% of total)	10%	25%	20%	75%	Retrofit mandatory for underperforming buildings at POS, starting 2025, phased in by size.
Need to determine what percentage of San Diego’s housing stock turns over per year to determine whether recommended changes of	Estimated 294,000 Single family units	Estimated 8,500 more homes, totaling 303,000			FINANCIAL IMPACT- Average cost to homeowner is \$8,000

Comparison of Top LOCAL Measures*	2012 CAP		2013 CAP		ADDITIONAL MANDATORY STRATEGIES RECOMMENDED TO REACH TARGET
	2020	2035	2020	2035	
20% by 2020 and 75% by 2035 are feasible. There needs to be “substantial evidence” that the CAP measures will be attained in order to use the CAP for CEQA tiering on cumulative GHG impacts. See CEQA Guideline 15183.5					<p>2020 – 10% is 29,400 homes 2020 – 20% is 58,800 homes 2035 – 20% is 60,600 homes 2035 – 75% is 227,250 homes</p> <p>Need “substantial evidence” to support that these reductions are realistic/achievable in order to use CAP for CEQA tiering on cumulative GHG impacts. See CEQA Guideline 15183.5</p>
<p>Residential Multi-Family EE</p> <p>Energy Reduction (%/unit)</p> <p>Units Retrofit (% of total)</p> <p>Residential commercial buildings (more than 4 units) are not required by the State to disclose energy use.</p>	<p>20% Based on EUC data the average is about 18%</p> <p>15% Estimated 160,000 Single family units</p>	<p>20%</p> <p>30% Estimated 51,500 more homes, totaling 211,500</p>	<p>30%</p> <p>20%</p>	<p>50%</p> <p>75%</p>	<p>Require energy consumption data disclosure at Point-of-Sale (POS) & Point-of-Lease (POL). Phased in; mandatory by 2015.</p> <p>Retrofit requirement for underperforming buildings, starting 2025, phased in by size.</p> <p>FINANCIAL IMPACT – Average cost per unit is \$4,000 (majority rentals therefore more of an impact to property owner and multiple units per building) 2020–15% is 24,000 units 2020-20% is 32,000 units 2035-30% is 63,450 units 2035-75% is 159,000 units</p>

Comparison of Top LOCAL Measures*	2012 CAP		2013 CAP		ADDITIONAL MANDATORY STRATEGIES RECOMMENDED TO REACH TARGET
	2020	2035	2020	2035	
					See CEQA Guideline 15183.5
Residential Solar Water Heating % of Total Existing Units	5%	15%	20%	75%	Require Energy Consumption data disclosure at POS FINANCIAL IMPACT- Average cost to homeowner is \$6,000-\$17,000 2020-5% is 14,700 2020-15% is 51,000 See CEQA Guideline 15183.5
Commercial EE Retrofits The Nonresidential Building Energy Use Disclosure Program will require an owner of a nonresidential building within California to benchmark the building's energy use via the EPA ENERGY STAR® Portfolio Manager system and to disclose documents regarding the building's energy usage Energy reduction (%/unit) Area Retrofit (% of Square Feet)	15% 10%	15% 25%	30% 20%	50% 90%	By 2015: Require Portfolio Manager data be reported to City for disclosure in real estate transactions (POS & POL). City may publicly disclose benchmarking data. <ul style="list-style-type: none"> • Require periodic ASHRAE audits; • Require retrofits with renovations for underperforming buildings, phased in by largest underperformers. Economic Impact – Cost varies significantly See CEQA Guideline 15183.5

Comparison of Top LOCAL Measures*	2012 CAP		2013 CAP		ADDITIONAL MANDATORY STRATEGIES RECOMMENDED TO REACH TARGET
	2020	2035	2020	2035	
Commercial EE Retrocommissioning					
Avg. Energy Reduction (%/unit)	15%	15%	15%	15%	Require retrocommissioning, phase in by size & age by 2015 Typically the return on investment is less than 2 years.
% Commercial Square Feet	10%	25%	20%	90%	See CEQA Guideline 15183.5
Commercial Solar Water Heating					
Reduction in Water Heating	50%	50%	50%	50%	Require Portfolio Manager data to be reported to the City for benchmarking purposes and for real estate transactions (POS & POL). Economic Impact – Cost varies significantly
% Commercial Water Heating Affected	5%	15%	20%	75%	See CEQA Guideline 15183.5
ENERGY – NEW BUILDING					
Efficiency			15% better than Title 24 by 2015	Zero Net Energy	Starting in 2020, phase in requirements for PV Installations, Solar Hot Water Installations, & ZNE by Size, Starting on SF Homes 2,500+ SqFt;

Comparison of Top LOCAL Measures*	2012 CAP		2013 CAP		ADDITIONAL MANDATORY STRATEGIES RECOMMENDED TO REACH TARGET
	2020	2035	2020	2035	
Solar (PV): % Electricity Need Met	No new building target		50%	100%	MF Homes of 10+ units; Commercial Bldgs 5,000+ SqFt; and Industrial over 25,000 SqFt The updated Title 24 (Jan 2014) will require the approx. 10-15% improvement by 2020.
Solar Water Heating: % Water Heating Met	No new building target		50%	100%	By 2015, require 100% of new buildings to pre-wire for PV & Solar Hot Water in 2015. Use Chula Vista Ordinance as model. Not a significant cost in new buildings. See CEQA Guideline 15183.5
ENERGY GENERATION (General)					
Clean/Efficient Distributed Generation (Residential/Commercial PV and Cogen) 1,014.8 MW used per year. (2009) RPS= 33% by 2020 for utilities= 335 MW	350 MW Current RPS is 335 MW	800 MW	800 MW (550 PV and 250 CoGen)	100% of energy in City from renewables	Explore Community Choice Aggregation (CCA) with Clean DG Feed-In-Tariff (FiT). Support state-run clean DG FIT targeting urban areas.

*State/Fed measures not compared in chart, as they legally must remain the same as current laws. The Governor's Office of Planning Research (OPR) has directed local governments NOT to assume future increases or creation of state/fed measures, unless already mandated

Comparison of Top LOCAL Measures*	2012 CAP		2013 CAP		ADDITIONAL MANDATORY STRATEGIES RECOMMENDED TO REACH TARGET
	2020	2035	2020	2035	
WATER					
Water Use Efficiency gallons/person/day Advised to remove measure from CAP	142	116	100	86**	Change to Australia's (Sydney) target The CAP cannot supersede existing water conservation agreements between the City and the State of CA (Urban Water Management Plan)
TRANSPORTATION & LAND USE					
Smart Growth (% density increase vs. 2010) NEED PLANNING DEPT INPUT ON THIS	12% What is the current projection for 2020 and 2030?	27%	12%	27%	Develop Transit-Oriented Development (TOD) Plan that includes: <ul style="list-style-type: none"> Prioritizing City infrastructure investments around City of Villages Smart Growth areas & visitor/institutional centers (schools, museums, parks, downtown, job centers, airport, etc). Prioritize investment based on ability to reduce driving See CEQA Guideline 15183.5.
Mass Transit (% mode share) Consider limits of City Authority	8%	10%	12%	25%	
Electric Vehicle (EV) Preferred Parking (% reserved)	10%	20%	10%	20%	
EV Use (% mile driven of personal miles)	4%	11%	4%	15%	See CEQA Guideline

Comparison of Top LOCAL Measures*	2012 CAP		2013 CAP		ADDITIONAL MANDATORY STRATEGIES RECOMMENDED TO REACH TARGET
	2020	2035	2020	2035	
					15183.5.
Bicycle Infrastructure (bike lanes/sq mi)	4 lanes	8 lanes	4 lanes	8 lanes	Work with SANDAG & relevant agencies to expand high capacity transit, (i.e. light rail, commuter rail, and streetcar service) along key corridors to connect regional urban core & city centers See CEQA Guideline 15183.5.
Walk & Bike (% mode share) (*NEW)	None		12%	25%	• Work with SANDAG & relevant agencies to Increase Frequency, Reliability, and connectivity of bus lines See CEQA Guideline 15183.5.
Vehicle Miles Travelled % Reduction (*NEW)	None		20%	36%	• Work with SANDAG & relevant agencies to build stations with real time displays of approaching trains & buses See CEQA Guideline 15183.5.
Parking Reduced Spaces (% metro area)	10%	20%	10%	20%	

Comparison of Top LOCAL Measures*	2012 CAP		2013 CAP		ADDITIONAL MANDATORY STRATEGIES RECOMMENDED TO REACH TARGET
	2020	2035	2020	2035	
Parking - Increased Fees (\$/day)	\$24	\$30	\$24	\$30	
OTHER					
Urban Greenscaping (*NEW) % Increase tree cover & pervious surfaces over current	None 250,000 trees currently	50% Adding 125,000 Trees from current levels; Totaling 375,000	300% Adding 750,000 trees from current levels; Totaling 1,000,000	Considerations: <ul style="list-style-type: none"> - Water resources for first few years of tree planting. - Increased cost to the City for tree maintenance, which has been cut in the budget in recent years. See CEQA Guideline 15183.5.	

ISSUES

For all of the proposed changes, it will be necessary to: (1) make sure the City has authority to impose the measures (i.e. they are not preempted by state or federal law); and (2) there is “substantial evidence” to support that the measures are feasible and achievable and will attain the projected GHG emission reductions, if the City is going to use the CAP for tiering on greenhouse gas cumulative impacts. The relevant portions of the CEQA Guideline are stated below:

15183.5. TIERING AND STREAMLINING THE ANALYSIS OF GREENHOUSE GAS EMISSIONS

...

(b) Plans for the Reduction of Greenhouse Gas Emissions. Public agencies may choose to analyze and mitigate significant greenhouse gas emissions in a plan for the reduction of greenhouse gas emissions or similar document. A plan to reduce greenhouse gas emissions may be used in a cumulative impacts analysis as set forth below. Pursuant to sections 15064(h)(3) and 15130(d), a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements in a previously adopted plan or mitigation program under specified circumstances.

(1) Plan Elements. A plan for the reduction of greenhouse gas emissions should:

(A) Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;

(B) Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable;

(C) Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area;

(D) Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;

(E) Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels;

(F) Be adopted in a public process following environmental review.

(2) Use with Later Activities. A plan for the reduction of greenhouse gas emissions, once adopted following certification of an EIR or adoption of an environmental document, may be used in the cumulative impacts analysis of later projects. An environmental document that relies on a greenhouse gas reduction plan for a cumulative impacts analysis must identify those requirements specified in the plan that apply to the project, and, if those requirements are not otherwise binding and enforceable, incorporate those requirements as mitigation measures applicable to the project. If there is substantial evidence that the effects of a particular project may be cumulatively considerable, notwithstanding the project's compliance with the specified requirements in the plan for the reduction of greenhouse gas emissions, an EIR must be prepared for the project.

Other Considerations:

- Shorter timeframe to reach more aggressive goals for 2020 and 2035.
- CAP cannot supersede other current planning documents (e.g., Urban Water Management Plan, General Plan, etc.).
- 2035 is an interim target based on trajectory to meet Executive Order's 2050 goal for State agencies. Local governments are not required to meet 2035 target, but should demonstrate that progress is being made to reduce emissions after 2020.
- Additional funding may be needed to complete revisions, Implementation Plan, and CEQA review.

REFERENCES

The City had 490,266 housing units in 2004, an increase of approximately four percent since 2000. Most of the housing stock in San Diego is relatively new and in good condition, with 93 percent of the housing stock built after 1940. In 2004, single-family detached dwellings comprised 58 percent of San Diego's total housing units while multiple family units accounted for 38 percent of the City's total housing units. **285,000 SF units in 2004. Estimate 8,500 more by 2020, so the total is approximately 294,000.**

Multifamily units 108,300—multiple units per building, and typically rental property. Estimate 51,500 more by 2020, so the total is approximately 160,000

From 2004 to 2030, SANDAG estimates that the population in the City will increase by 28 percent to 1,656,257, while the number of housing units is expected to increase by 24 percent or 119,783. Multiple family units comprise the majority of housing unit growth accounting for 102,582 of the 119,783 projected housing units. Multiple family units comprised approximately 38 percent of total housing units in 2004, whereas by the year 2030 multiple family units are forecasted to represent 48 percent of all housing units in the City. Although the number of single family homes is expected to increase by 12,306, this represents only a four percent increase from 2004 to 2030. **Delta is 17,000 new single family homes between 2004 and 2030. Multifamily units 103,000 increase by 2030.**

Final Report for the City of San Diego- San Diego Home Energy Upgrade Program

Contract Term (reporting period): April 2011-June 2013

Date Report Submitted: July 12, 2013

In general, each incentive type targeted either low-income households, middle-income households, or both, and did so using either a direct installation approach (no-cost) or a market-rate (upfront cost) approach.

Table 0.1: SDHEU Single-Family Revised Incentive Levels

Income Level	Leveraged Program	SDHEU Incentive
Low Income (up to 200% poverty)	ESAP (Grant)	\$1,500
Moderate Income (200-400% poverty)	MIDI (Grant)	\$1,500
Low - Moderate Income (up to 400% poverty)	EUC (Basic Path)	\$1,000
Low - Moderate Income (up to 400% poverty)	EUC (Advanced Path)	Up to \$4,500
Low - Moderate Income (up to 400% poverty)	CCSE DI	\$2,000

SDHEU achieved the following through 688 completed single-family retrofits:

- **14.3 percent average energy savings per household**
- **Table 0.2: Summary of San Diego Region Whole Building Program Participation 2012 MULTI-FAMILY**

Project Number	Units	Buildings	Annual kW Savings	Annual kWh Savings	Annual Therm Savings	Percent Improvement (TDV)
Total	687	38	101	366,922	31,784	18

Active closed loop solar water heater suitable for all areas of the world **will cost between \$6000 and \$17000** depending upon the **size of the system** and the needs of the household, along with any additional considerations, such as the use of radiant heating.

<http://www.sandiego.gov/street-div/services/forestry/index.shtml>

San Diego currently has an inventory of over 250,000 street trees. Working with the Community Forest Advisory Board, the Street Division encourages the planting of appropriate trees with the public right-of-way. We use creative and cost efficient ways to protect the sidewalks and other hardscapes in the City.

New Accessibility and Energy Use Disclosure Requirements for California Commercial Landlords Effective July 1, 2013

Beginning July 1, 2013, two new disclosures will be required in certain commercial real estate leasing, sale or finance transactions in California. Under Senate Bill (SB) 1186, property owners will need to include a disclosure in all commercial lease forms or rental agreements stating whether the property has been inspected by a Certified Access Specialist (“CAsp”) and, if so, whether the property is in compliance with construction-related accessibility standards. Under Assembly Bill (AB) 1103, prior to the leasing, sale or finance of an entire commercial building, the building owner is required to disclose certain energy use information.

Energy Use Disclosure (AB 1103 / AB 531)

The Nonresidential Building Energy Use Disclosure Program (the “Disclosure Program”) will require an owner (or an agent authorized to act on behalf of an owner) of a nonresidential building within California to benchmark the building’s energy use via the U.S. Environmental Protection Agency (“EPA”) ENERGY STAR® Portfolio Manager system and to disclose documents regarding the building’s energy usage to the following parties:

- A prospective buyer of the building, no later than 24 hours prior to execution of the sales contract.
- A prospective lessee of the entire building, no later than 24 hours prior to execution of the lease.
- A prospective lender financing the entire building, no later than submittal of the loan application.

Effective Date

The building owner must comply with the Disclosure Program according to the following schedule:

- Beginning July 1, 2013, for a building with total gross floor area measuring more than 50,000 square feet.
- Beginning January 1, 2014, for a building with a total gross floor area measuring more than 10,000 square feet and up to 50,000 square feet.
- Beginning July 1, 2014, for a building with a total gross floor area measuring at least 5,000 square feet and up to 10,000 square feet.

How to Comply

To comply with the Disclosure Program, the building owner must open an account (a “Portfolio Manager Account”) on the EPA’s ENERGY STAR® program Portfolio Manager website and provide certain information at least 30 days before a disclosure is required. Information that must be provided includes owner and building information, all sources of energy use data for the entire building for at least the most recent 12 months, and space use characteristics.

The building owner must also do one of two things: 1) request all utilities and energy providers serving the building to release energy use data for the entire building for at least the most recent 12 months for specified meters or accounts to the owner’s Portfolio Manager Account; or, 2) manually enter all energy use data for the entire building for at least the most recent 12 months to the owner’s Portfolio Manager Account.

After all utilities and energy providers serving a building have released the requested energy use data, which they are required to do within 30 days, the building owner must download the Disclosure Summary Sheet from the Energy Commission’s AB 1103 website, complete and submit the compliance report through the owner’s Portfolio Manager Account, and download the following disclosure documents:

- Statement of Energy Performance
- Data Checklist
- Facility Summary

These disclosures are standardized documents designed to provide insight into the energy use of a building, under the space utilization and operational characteristics of the building during the previous 12 months. The disclosures include metrics for overall building energy use, as well as a detailed description of the conditions the building owner inputs to Portfolio Manager Account to generate the metrics.

While the Energy Commission may access the data submitted under the compliance report, the Energy Commission must treat the data as confidential consistent with state and federal laws.

If there is information missing from a disclosure, and if the owner has made a reasonable effort to ascertain the missing information, the owner may then use an approximation of the information, provided that the approximation is identified as such, is reasonable, is based on the best information available to the owner, and is not used for the purpose of circumventing or evading the Disclosure Program.
